

**FEDERAL ELECTION COMMISSION**

2012 SEP 17 PM 2:01

**G. Charles Wilkinson, Sr.**

**Boardman, OH 44512**

OFFICE OF GENERAL  
COUNSEL

**Complainant**

**v.**

**Charles A. Wilson**

**St. Clairsville, OH 43950**

**and**

**MUR # 6647**

**Friends of Charlie Wilson (C00412015)**

**P.O. Box 334**

**Bridgeport, OH 43912**

**and**

**Angela Hatfield**

**P.O. Box 334**

**Bridgeport, OH 43912**

**Respondents**

**COMPLAINT**

Complainant files this complaint under 2 U.S.C. § 437(g)(a)(1) against Charles A. Wilson; Friends of Charlie Wilson; and Angela Hatfield for violations of the Federal Elections Campaign Act (FECA or The Act), as described below.

**A. FACTS**

Complainant is G. Charles Wilkinson, Sr., a citizen of the United States of America.

Respondent Charles A. Wilson is a candidate for Congress in the General Election to be held November 6, 2012 in Ohio's Sixth Congressional District.

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Respondent Friends of Charlie Wilson (C00412015) is the principal campaign committee of Charles A. Wilson in his campaign for election to the United States House of Representatives in 2012.

Respondent Angela Hatfield is the duly authorized treasurer of Friends of Charlie Wilson according to filings made by Friends of Charlie Wilson.

Based upon information and belief, respondents (i) have failed to timely report receipts of Friends of Charlie Wilson as required by FECA and related regulations; (ii) have over-reported contributions in violation of FECA and related regulations; (iii) have accepted an excessive contribution in violation of FECA and related regulations; (iv) have failed to report the return of a contribution in violation of FECA and related regulations; and (v) have failed to identify the source of a loan to the campaign.

## **B. SPECIFIC ALLEGATIONS**

### **1. FAILURE TO REPORT CONTRIBUTIONS DURING THE 48-HOUR REPORTING PERIOD**

Pursuant to 2 U.S.C. § 434(a)(2) and 11 CFR 104.5(f) Friends of Charlie Wilson was required to file a 48-hour notification of contribution for contributions of \$1000 or more received on February 16, 2012, "within 48 hours of receipt of the contribution."<sup>1</sup>

According to a filing made on February 24, 2012, Friends of Charlie Wilson received contributions in the amount of \$2000 from a Mr. Richard Sokolov; \$2000 from a Ms. Susan Sokolov; and \$5000 from the Sheet Metal Workers' International Association Political Action League, all on February 16, 2012. The 48-hour notification required these contributions to be reported no later than February 18, 2012. Thus, by delaying the notification until February 24,

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<sup>1</sup> 11 CFR 104.5(f)

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Respondents failed to timely file. Further, a filing more than four days late is considered a non-filing for purposes of assessing fines.

## **2. OVER-REPORTING OF CONTRIBUTIONS**

On February 18, 2012 Friends of Charlie Wilson filed a 48-hour notification reporting a February 16, 2012 contribution of \$5000 from the Sheet Metal Workers' International Association Political Action League. Six days later, on February 24, 2012, Friends of Charlie Wilson filed another 48-hour notification that included a February 16, 2012 contribution of \$5000 from the Sheet Metal Workers' International Association Political Action League. While the second filing was not identified as an amendment, or carry with it any other notification that this was not intended to reflect a second, separate contribution from the Sheet Metal Workers' International Association Political Action League, presumably, there were not two \$5000 contributions by the Sheet Metal Workers' International Association Political Action League on February 16. By failing to indicate this filing was an amended filing, Friends of Charlie Wilson has reported two contributions totaling \$10,000 where there was only one \$5000 contribution.

## **3. ACCEPTANCE OF EXCESSIVE CONTRIBUTIONS**

Alternatively, the February 24 filing accurately reflected a second \$5000 contribution from the Sheet Metal Workers' International Association Political Action League. In that case, Friends of Charlie Wilson report contributions from the Sheet Metal Workers' International Association Political Action League totaling \$15,000. Two \$5000 contributions on February 16, 2012 and one \$5000 contribution on March 10, 2012. Political Action Committees are limited to a maximum contribution of \$5000 per election for a total of \$10,000. Thus, contributions totaling \$15,000 are excessive.

#### **4. FAILURE TO REPORT THE RETURN OF AN EXCESSIVE CONTRIBUTION**

Alternatively, the reason the excessive contribution from the Sheet Metal Workers' International Association Political Action League is not reflected in reports of Friends of Charlie Wilson may be due to a return of the excessive contribution by the campaign committee. Assuming that is the case, then the campaign committee is required to report the refunding of the excessive contribution. To date the campaign committee has not reported refunding the excessive contribution from the Sheet Metal Workers' International Association Political Action League.

#### **5. FAILURE TO REPORT THE SOURCE OF A LOAN**

When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used personal funds or borrowed money from a lending institution or some other source.

The Quarterly Report filed April 15, 2012 filed by Respondents indicates a loan from Respondent Charles A. Wilson in the amount of \$250,000 originated on April 18, 2006 for which there is an outstanding indebtedness of \$191,650.00. This report does not indicate whether or not the candidate used personal funds or obtained a loan from a bank or other lending institution.

#### **D. CONCLUSION**

In light of the foregoing, it would appear obvious that Respondents have violated the campaign finance provisions of FECA in numerous ways. Specifically, Respondents have failed to timely report receipts of Friends of Charlie Wilson as required by FECA; have over-reported contributions in violation of FECA; have accepted an excessive contribution in violation of FECA; have failed to report the return of a contribution in violation of FECA; and have failed to report the source of a loan to the campaign.

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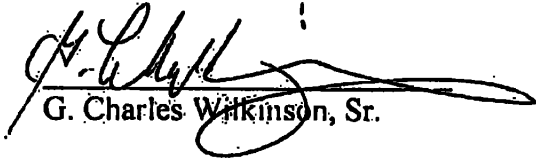
FECA and the Commission itself exist solely for the purpose of ensuring transparency in America's elections. The violations outlined above are in stark contrast with the intent of the law and the requirements of a just and free society. The Commission has a sacred duty to the citizens of the United States: to enforce the laws and regulations intended to provide for fair and free elections.

WHEREFORE, G. Charles Wilkinson, Sr., requests that the Federal Election Commission undertake an investigation and enforcement action regarding Respondents' failure to comply with FECA and to forward their findings to the appropriate law enforcement agencies for prosecution.

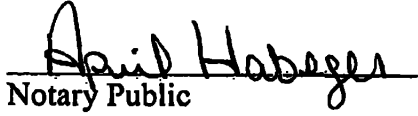
  
G. Charles Wilkinson, Sr.

Boardman, OH 44512

G. Charles Wilkinson, Sr., hereby verifies that the statements made in the attached Complaint are, upon information and belief, true. Sworn pursuant to 18 U.S.C. § 1001.

  
G. Charles Wilkinson, Sr.

Sworn to and subscribed before me this 8<sup>th</sup> day of August, 2012

  
Notary Public

My Commission Expires March 14, 2016

**APRIL HABEGER**  
Notary Public State of Ohio  
My Commission Expires March 14, 2016